

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

**MANDATE**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 21<sup>st</sup> day of November, two thousand twenty-three.

Before: Steven J. Menashi,  
*Circuit Judge,*

Nicolas Goureau, individually and derivatively on behalf of GOOBERRY CORP., Stephanie Menkin, individually and derivatively on behalf of GOOBERRY CORP., a New York corporation,

Plaintiffs - Appellants,

v.

Marcus Lemonis, an individual, ML Retail, LLC, a Delaware limited liability company, Marcus Lemonis, LLC, a Delaware limited liability company, Gooberry Corp., a New York corporation,

Defendants - Appellees,

Roberta Raffel, NBCUniversal Media, LLC, ML Fashion, LLC, MLG Retail, LLC, Machete Corporation, a California corporation, DBA Machete Productions,

Defendants.

**ORDER**

Docket No. 22-62

Appellants move for voluntary dismissal of this appeal pursuant to FRAP 42.

IT IS HEREBY ORDERED that the motion is GRANTED.

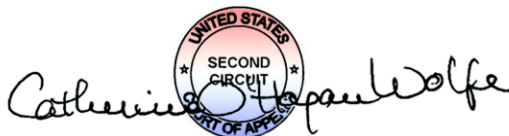

For the Court:  
Catherine O'Hagan Wolfe,  
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

**MANDATE ISSUED ON 11/21/2023**